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American Tort Reform Association

1212 New York Avenue, N.W. • Suite 515 • Washington, D.C. 20005 • (202) 682-1163

MEMO

April 23, 1992

TO: John Howard

FR: Diane Swenson *DS*

RE: State Civil Justice Reform Legislation

Richard Porter

I am sorry that I missed the meeting yesterday. If any decisions were made with which I could be of help, please do not hesitate to contact me for assistance.

I wanted to let you know that I have taken another look at your requests and come up with some other ways we might assist you. Further review of the state calendars indicates that we are up against some tight deadlines in many of the states you targeted for introduction. I have noted those deadlines in the attached version of the Legislative Session Calendar.

To assist you in meeting these deadlines, ATRA will send an immediate request to each of the coalition leaders in these states suggesting that they ask a legislator to introduce each of these model bills before the upcoming deadline for bill introduction. I will fax a copy of this letter to you as soon as it has been completed. It should go out tomorrow or Monday.

I also reported on the English Rule in today's Leaders' Update, which is my bi-weekly letter to the coalition leaders. I have asked them to notify us of any loser pays legislation which may have been or is pending in their state. This may help you find some of the bills which have been introduced in response to the Administration's model.

The coalition leader you need to contact for your work in New Jersey is Sharon Harrington. Sharon works with the lobbying firm of Public Strategies, Inc. Public Strategies, Inc. represents the New Jersey Medical Society and many business and trade groups. They housed FAIR, the Federation of Advocates for Insurance Reform. This was one of the most successful tort reform coalitions in the country successfully pressing for joint and several liability reform and comprehensive products liability reform in 1987. Sharon Harrington is now heading up a coalition known as PRO-TECH, which is a coalition of businesses organized to stop the opposition's protective order legislation in New Jersey. Sharon should be able to give you a good assessment of the climate in New Jersey and groups which should be helpful to you.

*Phil Kershner
Roger Badman - former Bla' 88 chairman
(609) 393-0255*

*196 W. State St.
Trenton NJ 08608*

*(609) 393-7799
393-9891 - Fax*



THIS COVER SHEET BEGINS A FACSIMILE TRANSMISSION FROM THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL. IF YOU EXPERIENCE TRANSMISSION PROBLEMS, PLEASE CALL ME AT (202)547-4646.

DATE: April 23, 1992

PLEASE DELIVER THE FOLLOWING PAGES AS SOON AS POSSIBLE.

TO: The Honorable Johnathan Howard, The Office of the Vice President
FR: Matthew Bordonaro, ALEC

NUMBER OF PAGES: 3 (INCLUDING COVER SHEET)

MESSAGE:

Attached please find a draft of the resolution entitled "Resolution To Provide Justice For All in 1993."

Currently, a staff person in Connecticut and a representative in North Carolina are waiting for a completed draft. Please provide me with your changes so I can fax a copy to the representatives as soon as possible.

Senator Kyrillos, NJ, and Representative Noye, PA, were very receptive to the model bills. Missouri is considering them as well.

Thus far no definites from CO, LA, MI, OH, RI, or WI.

I'll talk to you later.



RESOLUTION

TO PROVIDE JUSTICE FOR ALL IN 1993

WHEREAS, the United States of America and the state of (insert state) are suffering economically due to the growing frequency of law suits and the excessive costs associated with the U.S. tort system;

WHEREAS, the United States has 70% of the world's lawyers;

WHEREAS, on a per capita basis, the United States has three times as many lawyers as Great Britain, almost four times as many as Germany, and over twenty-five times as many as Japan;

WHEREAS, in the state courts, civil suits have jumped by more than 4 million in the past six years, and in one year alone, 17,321,125 civil cases were filed in the state courts;

WHEREAS, this overuse and abuse of the legal system impose tremendous costs upon America society;

WHEREAS, every year, our legal system costs Americans, directly and indirectly, an estimated \$300 billion -- about 1.8% of the nation's \$5.7 trillion gross domestic product;

WHEREAS, some companies spend "in excess" of \$100 million a year on legal services and liability insurance;

WHEREAS, excessive and expensive civil litigation has overburdened our court system and imposed higher costs on small businesses, professional, industry and government at all levels in the form of excessive legal fees, court costs, and wasted individual time and effort;

WHEREAS, higher costs mean higher prices for American consumers for everything from household goods to medical treatment;

WHEREAS, this burden on the courts is clogging the judicial process for civil disputes delaying justice to deserving parties and prolonging their suffering;

WHEREAS, higher costs reduce America's ability to compete in the global marketplace;

WHEREAS, other countries such as Great Britain require losers to pay the winners fees as a way to discourage frivolous suits;

WHEREAS, in Japan a costly American practice called the discovery process, which lets parties review an opponent's evidence before trial, does not exist. While in America, companies spend as much as 80% of their legal bills on the discovery process;

WHEREAS, the hallmarks of the U.S. legal system -- jury trials, contingency fees, and punitive damages -- encourage the "I'll sue" mentality;

WHEREAS, many businesses settle even frivolous suits to avoid the legal fees and to escape the long-shot risk of punitive damages;

THEREFORE BE IT RESOLVED, that it is the intent of this legislature to commit itself to enacting legislation that will restore our civil justice system to an institution that is fair to all and serves the ends of justice while eliminating the economic burden placed on American society by excessive litigation;

THEREFORE BE IT FURTHER RESOLVED, that the legislature will enact civil justice reform legislation in 1993. None of the reforms will impair any substantive legal rights. Instead, they will help ensure that deserving victims actually receive their compensation earlier and with less expense. This legislature is committed to the fair, efficient and early resolution of dispute.

NEW JERSEY

CONVENES JANUARY 14 -- MEETS THROUGHOUT THE YEAR

Ms. Sharon Harrington
PRO-TECH
Public Strategies, Inc.
196 West State Street
Trenton, New Jersey 08608
609-393-7799

1991 elections in New Jersey resulted in Republican control for both houses in the legislature for the first time in twenty years. As you may recall from last year the Federation for Advocates for Insurance Reform was formally disbanded in 1991. However, tort reform supporters did come together last year to form PRO-TECH, a group which helped to defeat proposed protective order legislation.

As you may recall, two protective order bills, AB 4110 and AB 3794 remained in the Assembly Judiciary Committee all of last year. Sharon Harrington, of Public Strategies, Inc. who helped to form PRO-TECH, hopes that the New Jersey tort reformers will not face another protective orders challenge this year. Evidently the trial lawyers are having better luck restricting the use of protective orders through the courts than in the legislature. In fact, a proposal for a New Jersey court rule governing public access to information filed with the court was issued in December 1991. This rule may be challenged because it was done by an irregular process.

This year, in conversations with the Senate and Assembly Insurance Committee Chairs, Harrington has discovered that auto insurance reform is the top priority. There may also be a chance for supporters to introduce medical malpractice liability reform in the Senate. However, the legislature will adopt a "go slow" approach this year.

305 Madison Avenue
Morristown, New Jersey 07962-1932
(201) 285-7695

Robert F. Dadd
Senior Vice President
Systems and Programming

September 18, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Vice President:

Along with many others in the business community, I was delighted to read about your speech to the American Bar Association, and the underlying findings of the President's Council on competitiveness.

It is about time we look for ways to reform the civil justice system. In my opinion, and that of many other Americans, the civil justice system no longer serves the needs of the public . . . just the lawyers.

Keep up the pressure and maybe something will change for the better.

Respectfully yours,



Robert F. Dadd

RFD/clc

NJ-CJR



ITT HARTFORD

Paul E. Vater
General Manager

*Garden State Regional Office
333 Mount Hope Avenue
P.O. Box 1000
Rockaway, NJ 07866
Telephone (201) 361-3700*

September 23, 1991

Vice President Dan Quayle
The White House
Washington, DC 20500

Dear Mr. Vice President:

I want to express my support for the position you have taken in calling for reform of America's civil justice system. Your much-publicized address to the American Bar Association represents, in my opinion, the beliefs of many Americans, and I urge you and the President to pursue these reforms with vigor.

As an insurance executive, I witness the spiraling costs of litigation and its effect upon my business and the business of my customers. As a consumer, I recognize that I pay far more for goods and services than would be necessary if your proposed reforms are advanced. And as a citizen, I am convinced that the cost of supporting abuses of our civil justice system lessens the ability of American business to compete internationally.

Legal rights are something we all cherish and are part of the unique way of life in our country. But we do need to check the unnecessary, costly abuses of the civil justice system that are occurring today.

Thank you for listening and for taking a stand on this important issue.

Sincerely,

Paul E. Vater
General Manager

PEV:gf

SECURITY INDEMNITY

INSURANCE COMPANY

ABA

2643 OLD BRIDGE ROAD, MANASQUAN, N.J. 08736
P.O. BOX 448, BRIELLE, N.J. 08730
(908) 223-1400

FAX (908) 223-4676
OUTSIDE NJ 800-836-1400

September 26, 1991

Vice President Quayle
The White House
1400 Pennsylvania Ave.
Washington, D.C. 20004

RE: Federal and State Judicial Reforms

Dear Vice President Quayle:

I applaud your stand on reforming the excessive litigation that puts America at a competitive disadvantage internationally. Our current system literally drains over one hundred billion dollars a year from the economy in a system that rewards very few americans yet has been structured primarily towards the self serving gain of plaintiff attorney's.

In addition to your proposal, I submit the following which I feel are necessary reforms:

1. There currently is no tax on plaintiff liability awards, I would propose a 20% tax on all awards, which could return over twenty billion dollars annually into the economy. In addition, all insurance companies could currently be taxed 20% of their liability reserves, which could raise over one Hundred billion dollars immediately while policing insurance companies to assure that they are not over reserving cases for tax advantages.

2. Bad faith awards against insurance companies should be defined more specifically as insurance companies are currently settling frivolous claims for substantial amounts to avoid verdicts in excess of policy limits. If the threat the of an insurance company having to pay in excess of their policy were eliminated, I strongly feel insurance companies would be making much more realistic settlements with plaintiffs attorney's.

3. The entire concept of joint and several should be eliminated. There is no reason why anyone who has chosen to have insurance should be held responsible for more than his percentage of negligence in a civil action simply because he chose to carry higher insurance limits.

If your office is interested in discussing any of the above in more detail, please don't hesitate to call.

Sincerely,



Barry Moffett
President/CEO

BM/ms

Center For Urology & Lithotripsy
Morey Wosnitzer, M.D., F.A.C.S., F.I.C.S.

DIPLOMATE AMERICAN BOARD OF UROLOGY

EPHONE (201) 379-6949

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420 MORRIS AVENUE
SPRINGFIELD, N.J. 07081

9/23/91

Dan Quayle
Vice President
United States of America
Washington, D.C.

Dear Vice President Quayle.

Let me give you my 100% backing
on your campaign to reduce the cost of the
\$300 billion legal system!!

Lawyers are out of touch and their prices
are out of reach of 99.9% of the American public.
There are no restrictions on their charges and
there should be!!! To hell with the American
Bar Association - I would continue just as
you have been!! Contingency fee lawyers
are riding a gravy train. All legal awards could
be cut by 1/3 if there was no contingency system
but only a reasonable hourly wage system. There would be
a lot fewer lawsuits with your Plan!!!
Keep up the good work!!!

Cordially,
Morey Wosnitzer



Corporate Claims Division
One Continental Drive
Cranbury, NJ 08570-0007

NBA

September 9, 1991

Vice President Dan Quayle
The White House
Washington, D.C. 20500

THE V. P. HAS BEEN

RE: FACTS ON THE CIVIL JUSTICE SYSTEM

Dear Mr. Vice President:

As an attorney and member of the American Bar Association, I firmly support your call for tort reform. In 1989, nearly 18 million new civil cases were filed in state and federal courts, amounting to one lawsuit for every ten adults.

In federal courts alone, the number of lawsuits filed each year has tripled in the last 30 years to 250,000+ in 1990 from 90,000 in 1960.

It's estimated excess litigation costs individuals, governments, and businesses more than \$80 billion a year.

The average civil lawsuit in federal court takes 14 months from filing to completion.

Since I work for a major property/casualty carrier, I've seen my fair share of frivolous lawsuits and abuses of the court system. Tort reform will reduce these costs and delays. As a member of the property/casualty industry, we have a direct interest in controlling the legal costs that contribute to increasing claims costs.

Very truly yours,

Rita A. Lind
Assistant Vice President - Liability
(609) 395-5648

RAL/sl



Stanley L. Craig
Vice President
National Sales and Marketing Manager
Unit Investment Trusts

Private Client Group

Princeton Corporate Campus
Unit Investment Trusts
P.O. Box 9051
Princeton, New Jersey 08543-9051
609 282 8721

September 9, 1991

The Honorable Daniel Quayle
Vice President of the United States
The White House
Washington, DC 20500

Dear Mr. Vice President,

Over the last three years my wife and I have been impressed and pleased with both our Vice President and his lovely wife. In spite of the continuing negative media reports, we have believed in your ability and calling and are convinced that you and Marilyn serve our country well. That is why we have been so pleased lately to see positive reports in the media. Your address to the ABA was, by all I have read, outstanding. I am convinced that the majority of Americans agree with your statement that "Americans find our legal system bewildering, a little intimidating, and frightful experience". Frankly, eighteen million new lawyers coursing through the system is a scary thought.

Today as I read this week's *Forbes Magazine* I was all the more pleased to read such a strong positive article about your trip to South America. Terrific.

Mr. Vice President, keep on keeping on. There is a whole host of Americans who believe in your ability and pray for your continued wise leadership. Very few of us take the time to let you know how much we appreciate your assistance to our President and our Nation.

Respectfully,

P.S. I am enclosing a copy of an earlier letter which I wrote and did not mail. I feel sure that there are many who have done the same and I would guess that we would out number, by far, the critical letters you may receive.

If you have a copy of the full text of your address to the ABA I would appreciate your sending me a copy to the address above.

SLC:jt

Enclosure



Merrill Lynch

Stanley L. Craig
Vice President
National Sales and Marketing Manager
Unit Investment Trusts

Private Client Group

Princeton Corporate Campus
Unit Investment Trusts
P.O. Box 9051
Princeton, New Jersey 08543-9051
609 282 8721

July 19, 1990

The Honorable Daniel Quayle
Vice President of the United States
The White House
Washington, DC 20500

Dear Mr. Vice President,

I was very pleased to see in *The Wall Street Journal* of July 11, a favorable article about our country's Vice President. Mrs. Craig and I appreciated your addition to the party's ticket and your continuing contribution to national policy. The seemingly endless belittling of your office must be a source of disappointment to you and your family. Please be assured that here in Bucks County, Pennsylvania you and Mrs. Quayle are lifted up regularly in prayer.

Placing legal reform at the top of your agenda is significant. It will take strong effort to make our criminal justice system work. Many of us believe it is failing significantly. Not only do criminals seem to act without any fear of being caught but even when apprehended are soon released to continue their careers. Recently a retired physician and his wife were brutally murdered by a convict who was out on parole and living in Trenton. He had a long history of violence, including a previous murder and stabbing.

Some things never change. Some things must. Please continue to be an agent for positive change in our government. Gloria and I wish you and Marilyn continued blessings as you provide sorely needed leadership and inspiration for our citizens.

Very truly yours,

SLC:jt

PAUL G. HUBER, CPA, PC

A PROFESSIONAL CORPORATION

CERTIFIED PUBLIC ACCOUNTANT

3108 MOUNT EPHRAIM AVENUE

HADDON TOWNSHIP, NEW JERSEY 08104

609-858-8346

August 17, 1991

Dan Quail
Vice President
United State of America
White House
Washington, D.C.

THE V. P. HAS 8021

Dear Vice President Quail:

My respect for you grows. I have read of several things you have been involved in and you seem pretty smart. Frank Capiello reported on Wall Street Week last night that you made a comment, in a recent speech to the American Bar Association, that there were too many attorneys and that America was growing more and more litigious. He said the room grew silent. This is probably akin to telling a bunch of Congressman that there are too many laws, ie water off a ducks back, but I agree with you.

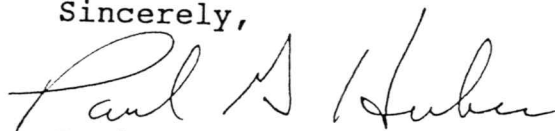
I hope you really did say this and that Capiello wasn't just twisting something you said. I think you will find there are many people in America that agree with you from Corporate Board Rooms down to us more common people that wonder about things like this when we pay our insurance premiums.... or when we read articles about fat cat lawyers taking a third of a settlement for whatever.

I am a CPA, not necessarily a rich one, but I get by. In my profession there are many costs increasing because of our litigious society.

But what should we do. We can't shoot every other attorney! Can we? More laws and regulations would just add fuel to their fire. On February 15, 1989 I resigned from the Federal Government as an auditor after 17 years, because, quite frankly the Government very seldom wins its cases. It is easier to fight with the Government than for the Government. Besides the fact the Government needs to hire a higher quality of staff, part of the problem is that there are just too many laws and regulations telling us how to live and act. I very much believe that if there were less laws and regulations, which translates to less Government there would eventually be less lawyers and law suits or vice versa.

Good Luck in the future. I'll vote for you.

Sincerely,



Paul G. Huber

Crum and Forster, Inc.

305 Madison Avenue
Morristown, New Jersey 07960
(201) 285-3944

Joseph V. Perno
Senior Vice President



September 20, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Vice President:

It was extremely gratifying to read about your speech to the American Bar Association, and about the underlying findings of the President's Council on competitiveness.

I happen to be sensitive to these issues because of my affiliation with the insurance industry, a vital cog in the economy which has been damaged in many ways by the excesses of our out-of-control civil justice system. And we all know that that damage extends to many areas important to our national health, most notably medicine, all forms of research, and much of our coveted leisure activity.

Please be assured that you have the fullest support of Mr. and Mrs. America in your efforts to return stability to the system.

With highest regard for the spirit of your objectives, I am.

Sincerely,

Joseph V. Perno

JVP/paw



Corporate Claims Division
One Continental Drive
Cranbury, NJ 08570-0001

ABA

September 10, 1991

Vice President Dan Quayle
The White House
Washington, D.C. 20500

Dear Mr. Vice President:

This letter is being written to register my support for the courageous stand you are taking in support of tort reform. As an attorney who for the last twenty-two years has had responsibility for tort litigation at three major insurance carriers, I can attest, first hand, to the deterioration of the tort system, and the pernicious growth of legal expenses associated therewith.

I read your remarks at the ABA session in Atlanta, and they needed to be said. Unfortunately, our "profession" has forgotten its basic mission "to serve the public good", and today serves its own "business" ends first and foremost.

I believe however, the general public senses the problems and is ready to support strong leadership aimed at controlling these runaway expenses, which are being fed by extravagant tort concepts. The time is ripe for this issue, and an accurately informed populace will endorse the reasonable economic restraints which tort reform will provide.

Very truly yours,


John J. Biancheri
Vice President
Litigation



Agency and Brokerage Group
One Continental Drive
Cranbury, NJ 08570-0001

September 10, 1991

ASX

Vice President Dan Quayle
The White House
Washington, DC 20500

Dear Mr. Vice President:

I read with interest the entire text of your speech to the American Bar Association which focused on the need for tort reform.

While I do not wish to begrudge individuals with a law degree the right to earn a living, I, too, feel that we have become too much of a litigious society. Vast sums of dollars are paid out for what appear to be exorbitant fees and settlements.

It is my feeling that we are rapidly becoming a country where to take a risk can only be done by those who have "adequate legal counsel." Anyone who suffers physical injury or loss of income should be correctly compensated, however, as you pointed out in your address we are now looking at one law suit for every ten adults being filed in 1989.

Mr. Vice President, I am but one voter but want you to know I fully support your call for tort reform which will inevitably reduce the overall costs of the system as well as reducing the delays that legitimate litigants must currently suffer under.

As a member of the property/casualty industry, I have a direct interest in the controlling of the legal costs that contribute to increasing claims costs. I pay for my insurance just like everyone else and look forward to an environment with true tort reform where everyone's cost of insurance can be reduced because only legitimate litigation cases will be filed.

My thanks for taking the time to read this memo.

Sincerely,

Loren P. Shoemaker
Vice President

pc: S. Nahley

Ron Martin Kubiak
Attorney at Law

263 South Park Drive
Westmont, NJ 08108-1799
(609) 854-3600

August 26, 1991

Vice Pres. Dan Quayle, Esq.
Old Executive Office Bldg.
Washington, DC 20501

Dear Vice President Quayle:

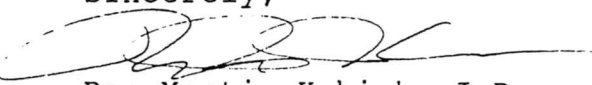
I am an executive member of the Alternative Dispute Resolution Committee of the American Bar Association's Family Law Section. I support the use of mediation as the most effective process for resolving interpersonal disputes.

I offer my support to participate with your Office in further dialogue with the legal profession.

Would you kindly forward a copy of your address to the Bar and a copy of the fifty (50) recommendations of your Task Force.

With kind regards, I remain,

Sincerely,



Ron Martin Kubiak, J.D.

August 14, 1991

Dan Quayle
Vice President
United States of America
Blair House
Washington, D. C.

Help

Re: The Need For Civil Justice Reform

Dear Mr. Vice President:

Congratulations on your very timely speech before the Delegates on the subject of the need for Civil Justice Reform in this country. Although you undoubtedly will receive a lot of negative feedback from the American Trial Lawyers Association members, there is no question that the majority of the American people are behind you on this issue.

The subject of Civil Justice Reform has been very close to my heart for a number of years. I am also an attorney but I have never practiced. I spent thirty nine years with the Continental Insurance Company Claims Department and recently retired as their Vice President and Senior Claims Officer. In my position, I witnessed first hand the many abuses of the civil justice system. Attached is an article I wrote in 1985. Since then the system has become worse, particularly in the areas of abuse of discovery and the awards of punitive damages.

In 1985 I was named a Citizen Ambassador in the People to People International Program and with eleven other attorneys visited England, France, Germany and Hungary to study their civil justice systems. In 1987, I was again named a Citizen Ambassador to study the legal systems in Australia and New Zealand. These visits convinced me that our civil justice system was badly in need of reform if we are to compete in the world.

Attached is my curriculum vitae. I would like to offer my knowledge and experience in this field to the Working Group of Civil Justice Reform headed up by Solicitor General Kenneth Starr. If you feel that I can be of assistance to this very worthwhile project, please refer this letter to the proper party.

Best regards,

E. T. Harris

Edward T. Harris, Esq.
443 Steeple Chase Lane
Bridgewater, N. J. 08807
Tel. 908-685-0588

Mr. William J. Coyle
650 Dayton-Jamesburgh Road
Apt. H3
South Brunswick, NJ 08810

September 10, 1991

Dan Quayle, Vice President
The White House
Washington, DC 20500

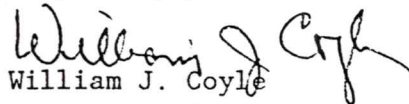
SUBJECT: TORT REFORM

Dear Mr. Vice President:

I was delighted to read of your speech to the American Bar Association last month on this subject. As a Senior Vice President of Continental Insurance Company Claims Department, over the past 35 years I have seen the proliferations of law suits and the astronomical increases in awards. Coupled with this, the cost to insurers, governments and businesses continues to escalate in the same proportions.

I strongly encourage you and President Bush to continue to press for Tort Reform.

Very truly yours,


William J. Coyle

211 Mt. Airy Road
Basking Ridge, New Jersey 07920
(201) 204-3580

Robert A. Zito, Jr.
Senior Vice President
Human Resources and
Corporate Communications

September 10, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D. C. 20500

Dear Mr. Vice President:

RE: CIVIL JUSTICE REFORM

I was very pleased to see you take such a strong stand on the need to reform our legal system. To do so before the American Bar Association proved to me the strength of your conviction on this issue.

Your statement that the United States has 70 percent of the world's lawyers told a lot about what's wrong with our legal system and our ability to compete with other countries.

I agree that something must be done to change our sue-happy society.

I encourage you to continue to keep the reform effort on the American agenda.

Sincerely yours,



RAZ/pf

211 Mt. Airy Road
Basking Ridge, New Jersey 07920
(908) 204-3838

Anthony R. Biele
Executive Vice President and
Chief Financial Officer



September 9, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

RE: Civil Justice Reform

Dear Mr. Vice President:

I want to congratulate you on your recent speech to the American Bar Association. Your remarks were superb and the message was long overdue.

You and the President's Council on Competitiveness should be commended for taking on the excesses of the American system of civil justice. As an insurance industry executive, I see first-hand the excess costs that result from our over-litigated society. I know I speak for many of my associates when I say that you and the Council have our wholehearted support.

Statutory codification of the Council's reform proposals are essential to restore sanity to an out-of-control civil justice system rivaled by no other country throughout the world. The Council's agenda will insure that we return stability and perspective to the system.

I have the highest regard for the foresight and non-partisan approach you have displayed. I thank you.

Sincerely yours,

Anthony R. Biele

ARB/sb

211 Mt. Airy Road
Basking Ridge, New Jersey 07920
908-204-3500



September 9, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Vice President

RE: Legal System Reform

I read with great interest and encouragement your recent comments before the American Bar Association on the excesses of the U.S. legal system. By speaking out, you will help alert the general public to the devastating toll on our country's global competitiveness caused by run-away economic and punitive damage awards granted by our courts. Our legal system has lost all sense of proportion--while individual plaintiffs prosper excessively, our economy flounders under these heavy costs, to the detriment of all.

Congratulations to you and the President's Council on Competitiveness for facing this critical issue head-on. Keep up the good work!

Sincerely,

Leslie Thurston
Senior Vice President
Corporate Planning



Technical Services
One Continental Drive
Cranbury, NJ 08570-2105

September 9, 1991

Vice President Dan Quayle
The White House
Washington, D. C. 20500

Dear Mr. Vice President:

I was pleased to learn that you called for tort reform during a recent speech to the American Bar Association. Your position, I believe, is consistent with that which has been shown by President Bush and I applaud you for it.

Tort reform is clearly needed and long overdue. Some of the cases filed are so flagrantly frivolous that they make the news reports countrywide and almost everyone shakes their head with wonder that such cases are filed. Yet, these cases remain on the docket and add to the load on the overall justice system which currently takes fourteen months from filing to completion on an average case. This applies to legitimate cases which may deserve fast action.

In federal courts alone, the number of lawsuits filed each year has tripled in the past 30 years to over 250,000 in 1990 from 90,000 in 1960. In 1989 there was one new civil case filed in state and federal courts for every ten adults. It has been estimated that excess litigation costs individuals, governments and businesses more than \$80 Billion per year. Staggering!!!!

Tort reform can reduce these costs and delays. Sizeable improvement on this country's productivity can be gained by cutting into this \$80 Billion per year. Your ongoing support for this reform is necessary and will be widely appreciated.

Very truly yours,

Kenneth T. McCleve, CSP
Vice President
Field Operations

211 Mt. Airy Road
Basking Ridge, New Jersey 07920-0557
(908) 204-3584

George J. Rachmiel
Senior Vice President and Treasurer



September 6, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. Vice President:

I was very pleased to see you take such a strong stand on the need to reform our legal system. To do so before the American Bar Association proved to me the strength of your conviction on this issue.

Your statement that the United States has 70 percent of the world's lawyers tells a lot about what is wrong with our legal system and our ability to compete with other countries.

I agreed that something must be done to change our sue-happy society.

I encourage you to continue to keep the reform effort on the American agenda.

Sincerely yours,

George J. Rachmiel

jl

Crum & Forster Corporation

A XEROX Financial Services Company

211 Mt. Airy Road
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Vice President

September 9, 1991

The Honorable J. Danforth Quayle
Vice President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Vice President:

Congratulations on bearding the "legal lions" in their den! Your comments at the American Bar Association meeting took courage and conviction. It's about time the excesses of the legal system were addressed frankly and directly.

As an employee in the insurance industry, I see daily the havoc created by our sue-happy society. We all wind up paying a staggering price for this litigious frenzy in so many direct and indirect ways.

We are encouraged that your leadership on this issue will help bring about the urgently needed reforms in our system of civil justice.

Respectfully,



Andrew L. Letendre
Vice President
Corporate Communications

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New Jersey Q & A: The Rev. Buster Soaries

For Minister, Civil Rights Is Not the Issue

By TOM GROENFELDT

THU Rev. Buster Soaries, pastor of the First Baptist Church in Somerset, across Route 27 from New Brunswick, sat in his basement office recently and talked about the riots in Los Angeles, his focus on economics rather than civil rights and his church's programs to motivate the black children in his congregation.

Mr. Soaries, a native of Montclair, left Livingston College in Alabama to work with the Rev. Jesse Jackson's Operation PUSH organization from 1973 until 1976. The experience, Mr. Soaries said, left him wary of independent civil rights ministers like Mr. Jackson and Al Sharpton.

Mr. Soaries holds a bachelor's degree in religious studies from Fordham University, a master's in divinity from the Princeton Theological Seminary and a doctorate of ministry from the United Theological Seminary in Dayton, Ohio. He was assistant pastor of the Shiloh Baptist Church in Truitt before becoming pastor at First Baptist 18 months ago.

Mr. Soaries, 40 years old, lives in Ewing Township with his wife, Donna, and their 2½-year-old twin boys, Malcolm and Martin, named after Malcolm X and the Rev. Martin Luther King Jr.

Q. What should President Bush be doing after the Los Angeles riots?

A. He can use the power and the influence of the office of the President to make the urban situation a national priority, which is what he hasn't done. The tragedy is that after eight years of having been Vice President and four years of having been President, this visit to inner-city Los Angeles was Bush's first visit of its kind. The rioters were proven right: it takes a riot for them to get attention.

Q. Do any Administration officials understand the needs of blacks?

A. I think Jack Kemp comes closest to understanding what to do in urban America. He understands the need for government to create a climate that fosters self-help initiatives among low-income people — homeownership initiatives, the tenant homeownership program in public housing, enterprise zones to give businesses tax relief.

Where Kemp is weak, and the Republicans are weak generally, is in the need to invest heavily in education. What we don't want are people who are just working in marginal jobs.

Q. You were active in New Brunswick last summer after a white police officer shot and killed a black youth. What can be done to improve relations between law enforcement and blacks?

A. Everyone wants to talk after there is a shooting. There is a high level of distrust between poor youth, minority youth, and law enforcement. At some point, someone has to take a lead in bridging that gap. When does an attorney general describe that dealing with this situation becomes a part of his job description, only when there is a crisis?

Q. Why are you dissatisfied with civil rights?

A. I think the term "civil rights" today is a misnomer if what you're attempting to describe is the primary problem of black people. Civil rights was an accurate description of people who did not have the right to eat at lunch counters, who did not have the right to go to schools that were exclu-



The Rev. Buster Soaries has been the pastor of the First Baptist Church in Somerset for the last 18 months.

Beyond the ashes, a renewed focus on economics.

sively white, and who did not have due process of law. But civil rights is not the right term to use to describe people who are caught in an economy which is shrinking. What we now need is a society that has enough opportunity for people to be able to pursue their dreams equally, and that's not a civil rights issue.

Q. Why are you labeled a conservative?

A. In black America if you are considered a leader and if you are willing to say anything that suggests racism is not our No. 1 problem, they start painting you as a conservative. If you are willing to describe the responsibilities of black people in public, then you're called a conservative.

It's not new that black folk will preach to black folk about taking responsibility. What's new is that people like me will say it in public, and that's a cardinal sin in the history of the black struggle.

Q. How do you distinguish your ideas from traditional white Republican ideas?

A. Generic conservatism suggests that market forces can solve all the problems. Give kids a choice, and competition will solve all the educational problems; give the insured a choice, and competition will solve the health insurance problem. Give tenants a choice, and you don't need rent control. The problem is, that discounts realities like greed, racism, violence and untruths. The Govern-

ment has a role to see to it that the market can function within a context of fairness.

Q. What role does the church have in this?

A. Spiritual growth. In the absence of a moral consensus of right and wrong, civil rights, economic opportunity, housing and jobs are just nonsense, pure talk, folly. We attempt to encourage our people to embrace moral standards, to say that while we will love any baby that is born, there is a moral standard that prefers babies being born to married people.

Q. What are you doing at First Baptist Church to prepare children?

A. All of our children in this church bring their report cards to church. We assume that if we can motivate children to sing in choirs, to study in Sunday school and go on camping trips, we can motivate them to do well in school. We don't believe it is the schools' responsibility to create successful students alone. We think the entire community is responsible for that. I don't think there will ever be enough money in education for schools alone to solve the problems of educating our children.

Q. What happens then?

A. As children bring their report cards to church, we give them little gifts, and we assign them tutors. If they have grades below a B. Most of adults don't have to tutor at all; most of our tutors spend time simply showing the child that someone else cares about their grades. They monitor homework and teach them time-management skills. Most of the children just need someone to hold them accountable for spending more time on their homework.

Q. How does this tie into your ideas about civil rights?

A. We believe our children need not wait until racism disappears to achieve excellence. Should I spend my time downtown boasting up on the

school board based on what they are not doing for our children, or should I spend time with our children challenging them to make the most of what they have?

Q. What was the Economic Development Expo that First Baptist sponsored in New Brunswick recently?

A. That expo was designed to introduce black small-business owners to the general public, to major corporations and public officials who otherwise would not know them. More than 2,000 people showed up on a Thursday at the Hyatt for it.

For instance, we've got a black guy who surveys land, but doesn't have the kind of money to market himself to big companies. So we sold him a little booth for \$100 and put up an exhibit and invited all these people to come and see him. We've had phenomenal results.

Q. What has happened to the black family in the last 20 years?

A. The black family has taken the same blows that the white family has. The American family has been wrestling with a whole generation of people who are raised to believe there are no absolutes, everything is relative and family life is optional.

We grew up with a whole set of norms that related to family life — "Father Knows Best," Dick Van Dyke, "I Love Lucy." Then J. R. Ewing became the new star, which was quite devastating when you think about it. Larry Hagman was able to command the highest salary of any TV personality of his time, and what did he represent? Corrupt deals, sleep with your secretary, no family loyalty whatsoever. That became the psyche of America.

Q. What results have you seen?

A. Immorality takes on a positive connotation, and we end up wondering why a million teenage girls got pregnant. And in the black community it's pronounced because you can see us, because we don't have an economic backdrop that can support single-parent families, and because America is predisposed to looking at what's wrong with someone else.

When Murphy Brown has a baby, she has a six-figure salary to support that. When a teenager has a baby, all she's got is welfare. The pathology appears to be an economic or racial pathology when in fact it is a cultural pathology that cuts across racial and economic lines.

Q. How does being the pastor of a local church distinguish you from freelance black ministers like Jesse Jackson and Al Sharpton?

A. The accountability. Two weeks ago we buried a 29-year-old woman who died of an overdose of drugs. If I was just Buster Soaries, the family could have called me to come preach the eulogy just as a personal appearance for me. But I'm not just Buster Soaries; I'm pastor of First Baptist Church, which means that I've got to deal with the pain of that family, I've got to deal with the embarrassment of that family, I've got to deal with the fact that there are other families within the church that didn't know they had family members on drugs.

Q. How does that accountability work in a practical matter?

A. These folks in the church vote on my salary; they decide how much money I have to spend on books, how many weeks I can go on vacation. That's the kind of accountability Jesse never had, Alfred's never had. That doesn't make me better than them; it just means I have a different reality.